

Appn. Number 09/641,410 (Kiely)

GAU 1794

Response to Office Action

5

Claims: 1 - 382 (canceled)

I claim:

383. (Currently amended): A ~~non-frozen~~ support for a frozen comestible comprising an edible ~~confectionary material, said edible material comprises~~ comprising two ~~ingredient materials within~~ ingredient materials ~~said edible confectionary material or two constituent ingredient materials.~~

384. (Currently amended): The support for a frozen comestible of claim 383 wherein each of said two ~~constituent~~ materials comprise a candy, a whipped confection, a ~~mini~~ colored candy chip, a flavored candy chip, a ~~mini-size~~ piece of candy, a nut, a candy bead, a fluid ingredient, an edible coating, an edible moisture resistant barrier, fudge, peanut butter, nougat, dried yogurt, ~~mint, ginger, graham,~~ a filling, cheese, gelatin, coconut, a binder, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, a whole grain, chewing gum, or fruit.

385. (Currently amended): The support for a frozen comestible of claim 383 wherein said two ~~constituent~~ materials comprise said edible ~~confectionary~~ material.

386. (Currently amended): The support for a frozen comestible of claim 383 wherein said edible ~~confectionary~~ material comprises a bite size material ~~ingredient~~ placed inside or embedded in a ~~said~~ support, wherein said bite size material ~~ingredient~~ comprises two ~~ingredient~~ materials, wherein each of said two ~~ingredient~~ materials comprise chocolate, fudge, a chocolate chip chips, a rainbow chip chips, a candy, a toy shaped candy, or chewing gum, said bite size material ~~ingredient~~ comprises an ingredient in a ~~said~~ support.

387. (Currently amended): The support for a frozen comestible of claim 383 wherein said edible ~~confectionary~~ material comprises a support.

388. (Currently amended): The support for a frozen comestible of claim 383 wherein said ~~support edible material~~ comprises a handle.
389. (Currently amended): The support for a frozen comestible of claim 383 wherein said ~~support comprises a single component~~ two materials comprise two mixed materials, two layered materials, two twisted materials, two swirled materials, two materials placed together, two attached materials, two materials placed concentrically, parallel, or diagonally, two materials placed in a combination of directions, two affixed materials, two molded materials, one of said two materials coated with the other of said two materials, one of said two materials dipped in the other of said two materials, one of said two materials filled with the other of said two materials, one of said two materials wrapped with the other of said two materials, or a combination thereof.
390. (Currently amended): The support for a frozen comestible of claim 383 wherein said edible ~~confectionary~~ material comprises an edible composite material, whereby a support can provide synergistic strength to sustain stress against its breakage while also providing a long lasting support with a variety of edible taste and texture combinations ~~said edible composite material comprises two ingredient materials within said edible composite material or two constituent ingredient materials.~~
391. (Currently amended): The support for a frozen comestible of claim 383 wherein one of said two ~~constituent~~ materials comprises an edible hollow confection length, wherein the other of said two ~~constituent~~ materials comprises an edible filling placed in said hollow length, wherein said filling comprises a plurality of candy beads, colored sugar, flavored sugar, an edible confection rope, or a fluid ingredient, said two ~~ingredient~~ materials comprise two ~~ingredient~~ materials placed concentrically.

392. (Currently amended): The support for a frozen comestible of claim ~~386~~ 385, further comprising ~~an ingredient in said edible confectionary material comprising a~~ candy, ~~a mini~~ colored chip chips, a flavored chip chips, a ~~mini-size piece pieces~~ of candy, a crushed candy, a ~~mini-size piece pieces~~ of individually coated candy, ~~a nut~~ nuts, a candy bead beads, a fluid ingredient, chewing gum, an edible coating, an edible moisture barrier, shortening, oil, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, fudge, peanut butter, cheese, a whole grain, wherein said whole grain comprises ~~comprising~~ crisped rice, granola, a crushed comestible comestibles, a crumb crumbs, cereal, nougat, yogurt, mint, ginger, graham, a filling, flavored sugar, colored sugar, gelatin, coconut, fruit, a binder, an edible material comprising two ~~ingredient~~ materials, an edible composite material, a soft gummy appendage, or a combination combinations thereof.
393. (Currently amended): The support for a frozen comestible of claim 383, further comprising a supported frozen comestible, a plurality of supported frozen comestibles, a frozen support, a frozen supported comestible, a frozen plurality of supported comestibles, one or a plurality of cookies or comestibles supported on ~~said~~ a frozen comestible, a lollipop, a mess guard, wherein said mess guard comprises a mess guard placed on all sides of a support, a drip guard, a coating on a support, a coating on a supported frozen comestible, an edible moisture resistant barrier, an inedible portion, wherein said inedible portion comprises ~~comprising~~ wood, plastic, or paper, an inedible toy, a gummy appendage, one or a plurality of dried fruit puree strips, one or a plurality of loops, wherein said one or a plurality of loops comprises means for making to make an open or spherical support, colored sugar, flavored sugar, sprinkles, ~~a nut~~ nuts, packaging, a combined disposable mold and packaging apparatus, wherein said combined disposable mold and packaging apparatus comprises ~~comprising~~ a stick alignment device, a gripping indentation indentations on in a ~~said~~ support, a plurality of supports, a plurality of supports comprising a sandwiching support, a hollow support, ~~a~~ said frozen comestible supported in the core of ~~a~~ said support, a support for sharing, a

freestanding portion, one or a plurality of handles, a wearable support, wherein said wearable support comprises a support placed on a finger, a heated edible material comprising two materials or a portion thereof, a heated support or a portion thereof, an edible ingredient material, a plurality of ingredient materials, one or a plurality of ingredients, a composite material, a material comprising two ingredient materials attached to the outside of a said support, a material comprising two materials attached to the outside of a supported comestible, a single component composite material confection bar, a void in a said support, an operative or functional portion on a support, wherein said operative or functional portion comprises a curved shaped portion so as to rock a support back and forth, a wheel shaped portion so as to roll a support along a surface, a flat portion so as to display a comestible, or a hanger shaped portion so as to hang a support, a void plurality of voids in said edible material support, a variety pack, wherein said variety pack comprises an assortment of different kinds of edible supports or supported frozen comestibles, or a combination combinations thereof.

394. (Currently amended): A support for a frozen comestible comprising an edible composite material, ~~said edible composite material comprises two ingredient materials within said edible composite material or two constituent ingredient materials.~~

395. (Currently amended): The support for a frozen comestible of claim ~~399~~ 394 wherein each of said two ~~constituent ingredient~~ materials comprise a candy, a whipped confection, a ~~mini~~ colored candy chip, a flavored candy chip, a ~~mini-size~~ piece of candy, a nut, a candy bead, a fluid ingredient, an edible coating, an edible moisture resistant barrier, fudge, peanut butter, cheese, nougat, dried yogurt, ~~mint~~, ~~ginger~~, ~~graham~~, a filling, gelatin, ~~coconut~~, a binder, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, a whole grain, chewing gum, or fruit.

396. (Currently amended): The support for a frozen comestible of claim ~~399~~ 394 wherein said two ~~constituent ingredient~~ materials comprise said edible composite

material.

397. (Currently amended): The support for a frozen comestible of claim 394 wherein said edible composite material comprises a bite size material ingredient placed inside or embedded in a ~~said~~ support, wherein said bite size material ingredient comprises two ~~ingredient~~ materials, wherein each of said two ~~ingredient~~ materials comprise chocolate, fudge, a chocolate ~~chip chips~~, a rainbow ~~chip chips~~, a candy, a toy shaped candy, or chewing gum, wherein said bite size edible composite material ingredient comprises an ingredient in a ~~said~~ support.
398. (Currently amended): The support for a frozen comestible of claim 394 wherein said edible composite material support comprises a handle.
399. (Currently amended): The support for a frozen comestible of claim 394 wherein said ~~support comprises a non-frozen support~~ edible composite material comprises two materials.
400. (Canceled)
401. (Currently amended): The support for a frozen comestible of claim 396 wherein said edible composite material further comprises comprising an ingredient in said edible composite material comprising a candy, a ~~mini~~ colored chip, a flavored chip, a mini-size piece pieces of candy, a crushed candy, a mini-size piece pieces of individually coated candy, a ~~nut nuts~~, a candy bead beads, a fluid ingredient, chewing gum, an edible coating, an edible moisture barrier, shortening, oil, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, fudge, peanut butter, cheese, a whole grain, wherein said whole grain comprises comprising crisped rice, granola, a crushed comestible comestibles, a crumb crumbs, cereal, nougat, yogurt, mint, ginger, graham, a filling, flavored sugar, colored sugar, gelatin, coconut, fruit, a binder, an edible material comprising two ~~ingredient~~

materials, an edible composite material, one or a plurality of ingredient materials, one or a plurality of ingredients, a gummy appendage, or a combination combinations thereof.

402. (Currently amended): The support for a frozen comestible of claim 394, further comprising a supported frozen comestible, a plurality of supported frozen comestibles, a frozen support, a frozen supported comestible, a frozen plurality of supported comestibles, one or a plurality of cookies or comestibles supported on a said frozen comestible, a lollipop, a mess guard, wherein said mess guard comprises a mess guard placed on all sides of a support, a drip guard, a coating on a support, a coating on a supported comestible, an edible moisture resistant barrier, an inedible portion, wherein said inedible portion comprises comprising wood, plastic, or paper, an inedible toy, a gummy appendage, one or a plurality of dried fruit puree strips, colored sugar, flavored sugar, sprinkles, a nut nuts, packaging, a combined disposable mold and packaging apparatus, wherein said combined disposable mold and packaging apparatus comprises comprising a stick alignment device, a gripping indentation in a indentations on said support, a plurality of supports, a plurality of supports comprising a sandwiching support, a hollow support, a said frozen comestible supported in the core of a said support, a push up sleeve device or barrel, a support for sharing, a freestanding portion, one or a plurality of handles, a wearable support, wherein said wearable support comprises a support placed on a finger, a heated edible composite material, a heated support, an edible ingredient material, a plurality of ingredients in an said edible composite material, a composite material, a material comprising two ingredient materials attached to the outside of a said support, a material comprising two materials attached to the outside of a supported comestible, a single-component composite material confection bar, a plurality of ingredient materials in a said support, a plurality of ingredient materials in said edible composite material, a void in a said support, a plurality of voids void in said composite material support, an operative or functional portion on a support,

wherein said operative or functional portion comprises a curved shaped portion so as to rock a support back and forth on a surface, a wheel shaped portion so as to roll a support along a surface, a flat portion so as to display a support, or a hanger shaped portion so as to hang a support, a variety pack, wherein said variety pack comprises an assortment of different kinds of edible supports or supported frozen comestibles, or a combination ~~combinations~~ thereof.

403. (Currently amended): A ~~non-frozen~~ support for a frozen comestible comprising ~~a~~ an edible material, said edible material comprises ~~comprising two ingredient materials within said edible material or two constituent ingredient materials~~ and means for making said support.

404. (Previously presented): The support for a frozen comestible of claim 403, further comprising a frozen comestible and means for making a frozen supported comestible.

405. (Currently amended): A method of making a support for a frozen comestible comprising ~~comprising an edible material, said edible material comprises~~ comprising two ingredient materials, ~~within said edible material or two constituent ingredient materials in a support for a frozen comestible, wherein said two constituent ingredient materials comprise said edible material.~~

406. (Currently amended): The method of making a support for a frozen comestible of claim 405 wherein each of said two ~~constituent~~ materials comprise a candy, a whipped confection, a ~~mini~~ colored candy chip, a flavored candy chip, a ~~mini-size~~ piece of candy, a nut, a candy bead, a fluid ingredient, an edible coating, an edible moisture resistant barrier, fudge, peanut butter, cheese, nougat, a whole grain, dried yogurt, ~~mint, ginger, graham,~~ a filling, gelatin, coconut, a binder, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, chewing gum, or fruit.

407. (Currently amended): The method of making a support for a frozen comestible of claim 405 wherein said two materials comprise said edible material, wherein each

~~of said two materials comprise further comprising an ingredient in said edible material comprising a candy, ~~mini~~ a colored ~~chip chips~~, a flavored ~~chip chips~~, ~~mini size pieces~~ a piece of candy, ~~crushed candy~~, ~~mini size pieces~~ a piece of individually coated candy, a nut nuts, a candy ~~bead beads~~, a fluid ingredient, chewing gum, an edible coating, an edible moisture barrier, ~~shortening or oil~~, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, fudge, peanut butter, cheese, a whole grain ~~comprising crisped rice~~, granola, a crushed ~~comestible comestibles~~, ~~crumbs~~, cereal, nougat, yogurt, ~~mint, ginger, graham~~, a filling, flavored sugar, colored sugar, gelatin, coconut, fruit, or a binder, ~~an edible bite sized composite material, a soft gummy appendage, or combinations thereof.~~~~

408. (Currently amended): The method of making a support for a frozen comestible of claim 405 wherein said method of making edible material comprises ~~a non-frozen material~~, providing a support, a non-frozen support, providing a handle, providing a confectionary material, including a composite material, including a composite material confection bar, a single component support, providing a hollow support, providing a wearable support, wherein said wearable support comprises placing a support on a finger, providing a display, including a bite size material ingredient placed inside or embedded in said a support, twisting said two twisted ingredient materials, mixing said two mixed ingredient materials, attaching said two attached ingredient materials, molding said two molded ingredient materials, layering said two layered materials, swirling said two swirled ingredient materials, placing said two concentrically placed ingredient materials concentrically, parallel, or diagonally, placing said two ingredient materials placed together, two composite ingredients, or combinations a combination thereof.
409. (Previously presented): The method of making a support for a frozen comestible of claim 405, further comprising supporting a frozen comestible.
410. (Currently amended): The support for a frozen comestible of claim 405 further



comprising ~~freezing said~~ heating a support, or a portion thereof.

411. (Previously presented): The method of making a support for a frozen comestible of claim 409, further comprising freezing said support and said supported frozen comestible
412. (Currently amended): A method of making a support for a frozen comestible comprising comprising an edible composite material ~~in a support for a frozen comestible, said edible composite material comprises two ingredient materials within said edible composite material or two constituent ingredient materials, wherein said two constituent ingredient materials comprise said edible composite material, whereby a support may provide synergistic strength to sustain stress against breakage to support a frozen comestible, while also providing a long lasting support with a variety of edible taste and texture combinations.~~
413. (Currently amended): The method of making a support for a frozen comestible of claim ~~417~~ 412 wherein said method of making comprises ~~edible composite material comprises a non-frozen material, providing a support, providing a handle, providing a confectionary material, including a composite material confection bar, a single component support, a non-frozen support, providing a hollow support, providing a wearable support, wherein said wearable support comprises a support placed on a finger, providing means for displaying said frozen comestible a display, including a bite size composite material ingredient placed inside or embedded in a said support, two-twisted twisting said two constituent materials, two-mixed mixing said two constituent materials, two-attached attaching said two constituent materials, two-molded molding said two constituent materials, two-layered layering said two constituent materials, two-swirled swirling said two constituent materials, concentrically placed placing said two constituent materials concentrically, parallel or diagonally, placing said two constituent materials placed together, filling one of said two materials with the other of said two materials, coating one of said two~~

materials with the other of said two materials, wrapping one of said two materials with the other of said two materials, two composite ingredients, manufacturing a support in a combined disposable mold and packaging apparatus, wherein said combined disposable mold and packaging apparatus comprises a material and means for aligning a support, or combinations a combination thereof.

414. (Currently amended): The method of making a support for a frozen comestible of claim ~~417-412~~ wherein each of said two materials comprise further comprising an ingredient in said edible composite material comprising a candy, a whipped confection, a mini colored chip, a flavored chip chips, a piece mini size pieces of candy, crushed candy, a piece mini size pieces of individually coated candy, a nut, a candy bead beads, a fluid ingredient, chewing gum, an edible coating, an edible moisture barrier, shortening, oil, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, fudge, peanut butter, cheese, a whole grain comprising crisped rice, granola, a crushed comestible comestibles, crumbs, cereal, nougat, dried yogurt, mint, ginger, graham, a filling, flavored sugar, colored sugar, sprinkles, edible confetti, gelatin, coconut, fruit, or a binder, an edible bite sized composite material, a soft gummy appendage, or combinations thereof.
415. (Previously presented): The method of making a support for a frozen comestible of claim 412, further comprising supporting a frozen comestible.
416. (Currently amended): The method of making a support for a frozen comestible of claim 415, further comprising freezing said support and said supported frozen comestible.
417. (New): The method of making a support for a frozen comestible of claim 412 wherein said edible composite material comprises two materials.